IN RE: PETITION FOR ZONING VARIANCE E/S Devonbrook Road, 1063' SE of Carroll Manor Road (13601 Devonbrook Road) 11th Election District 6th Councilmanic District

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY * Case No. 89-94-A

James M. Earlbeck Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * *

The Petitioner herein requests a variance to permit a side yard setback of 15 feet in lieu of the required 50 feet for a proposed garage addition as more particularly described in Petitioner's Exhibit 1.

The Petitioner appeared and testified. There were no Protestants. Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore day of September, 1988 that the Petition for Zoning Variance to permit a side yard setback of 15 feet in lieu of the required

Located on the east side of Devonbrook Rd.

as shown on the Plat of "Woodside Estates", Lot #4 and recorded among the Land Records of Baltimore County in Plot Book E.H.K. Jr. No.38

50 feet for a garage addition, in accordance with Petitioner's Exhibit 1,

be and is hereby GRANTED, subject, however, to the following restrictions:

er, Petitioner is hereby made aware that proceeding at 30-day appellate process from this Order has expired. sible for returning, said property to its original condition.

2) The Petitioner shall not allow or cause the addiapartment. The garage shall contain no living or

Zoning Commissioner for

JRH:bjs

Jomes Micheel Fortback Location of property: E/S Dever brook Rd. 1063 'SE/Cornel Minn Rd. Location of Signe FT The Find of Ortenbrock Rd, opens, 3' fr. 400 dway,

Date of return: 8/26/35

CERTIFICATE OF PUBLICATION

TOWSON, MD. MUQUO 125, 19 88 THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on Many 19 18

#5510

TOWSON TIMES.

5. Zehenden

J. Robert Haines

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; howevthis time is at his own risk until such time as the If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be respon-

tion to be converted to a second dwelling unit and/or sleeping quarters, and no kitchen or bathroom facili-

Baltimore County

Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 J. Robert Haines

Date: 8-3/-88

post set(s), there

Dennis F. Rasmussen

Mr. James Michael Earlbeck 13601 Devonbrook Road Baldwin, Maryland 21030

> CASE NUMBER: 89-94-A E5 Devombrook Road, 1063 SE of Carroll Manor Road (13601 Devonbrook Road) 11th Election District - 6th Councilmanic

HEARING SCHEDULED: WEDNESDAY, SEPTEMBER 7, 1988 at 3:00 p.m.

Petitioner(s): James Michael Earlbeck

BALTIMORE COUNTY, MARYLAND

Please be advised that \(\frac{\frac{9}{105.73}}{15.73}\) is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before

DATE	17/88	COUNT POLL	
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Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353

Mr. James M. Earlbeck

13601 Devonbrook Road

Baldwin, Maryland 21030

September 9, 1988

Dennis F. Rasmussen

RE: PETITION FOR ZONING VARIANCE E/S Devonbrook Road, 1063' SE of Carroll Manor Road (13601 Devonbrook Road) 11th Election District - 6th Councilmanic District Case No. 89-94-A

Dear Mr. Earlbeck:

JRH:bjs

cc: People's Counsel

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

> Very truly yours, J. ROBERT HAINES Zoning Commissioner

for Baltimore County

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

setback of 15 feet in Lieu of the required 50 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Non-availability of other acceptable locations for construction 1-19-1 of a garage due to:

1. Severe grade change in rear of dwelling

2. Location of septic system

3. Location of well

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: Legal Owner(s): James Michael Earlbeck (Type or Print Name) Jan Broke Calla

I/We do solemnly declare and affirm,

(Type or Print Name) City and State Signature Attorney for Petitioner 687-8400 work 13601 Devonbrook Rd. 592-2095 home (Type or Print Name) Baldwin, Md 21030

Name, address and phone number of legal owner, contract purchaser or representative to be contacted James Michael Earlbeck

of _______, 19_8 ____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONTHS

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204

J. Robert Haines Zoning Commissioner

NOTICE OF HEARING

July 22, 1988



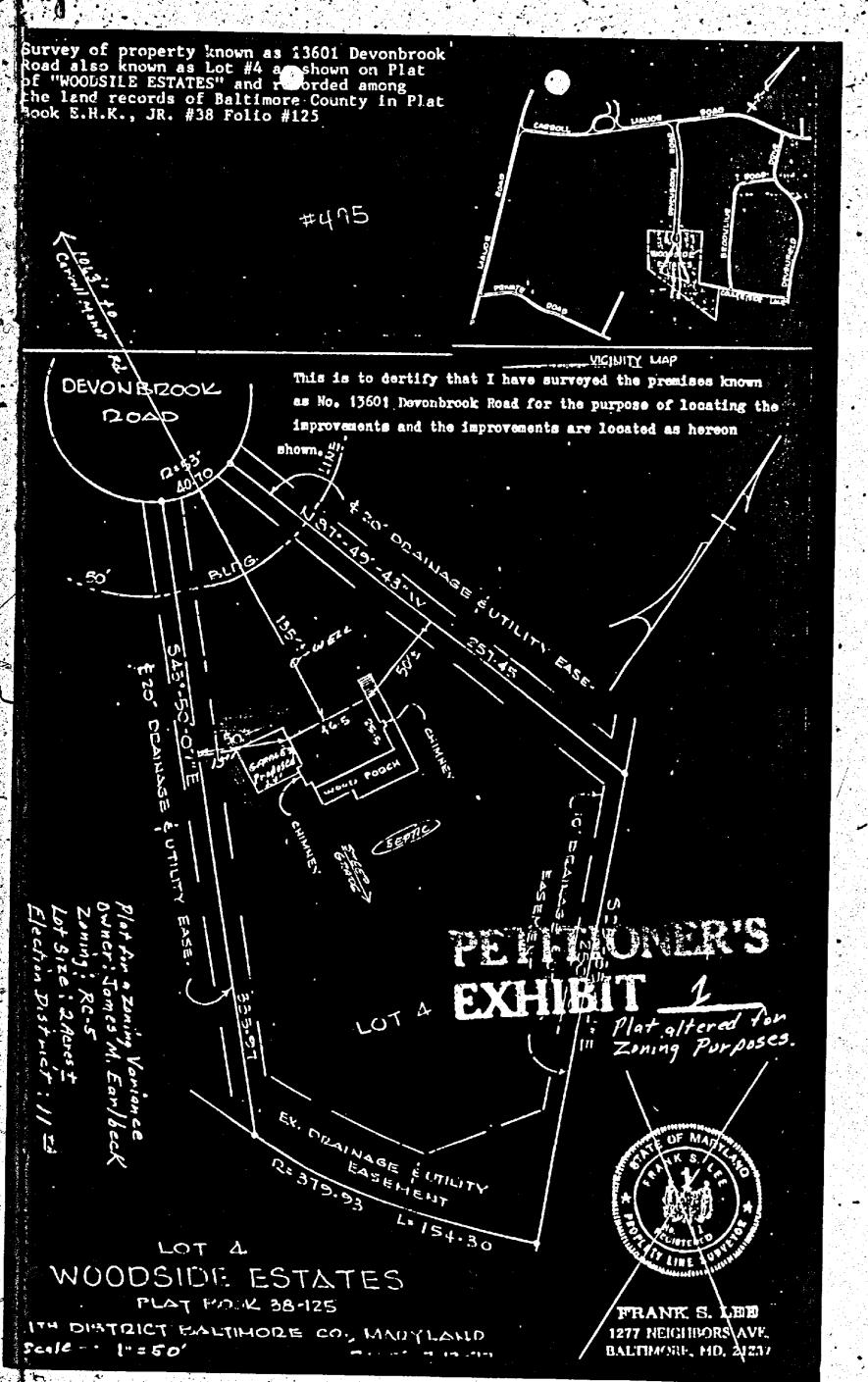
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

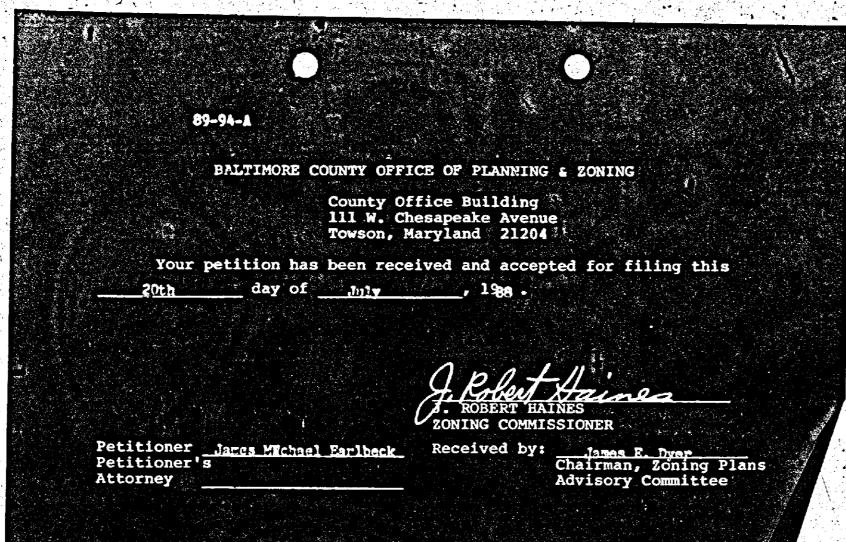
Petition for Zoning Variance CASE NUMBER: 89-94-A ES Devonbrook Road, 1063' SE of Carroll Manor Road (13601 Devonbrook Road) 11th Election District - 6th Councilmanic Petitioner(s): James Michael Earlbeck HEARING SCHEDULED: WEDNESDAY, SEPTEMBER 7, 1988 at 3:00 p.m.

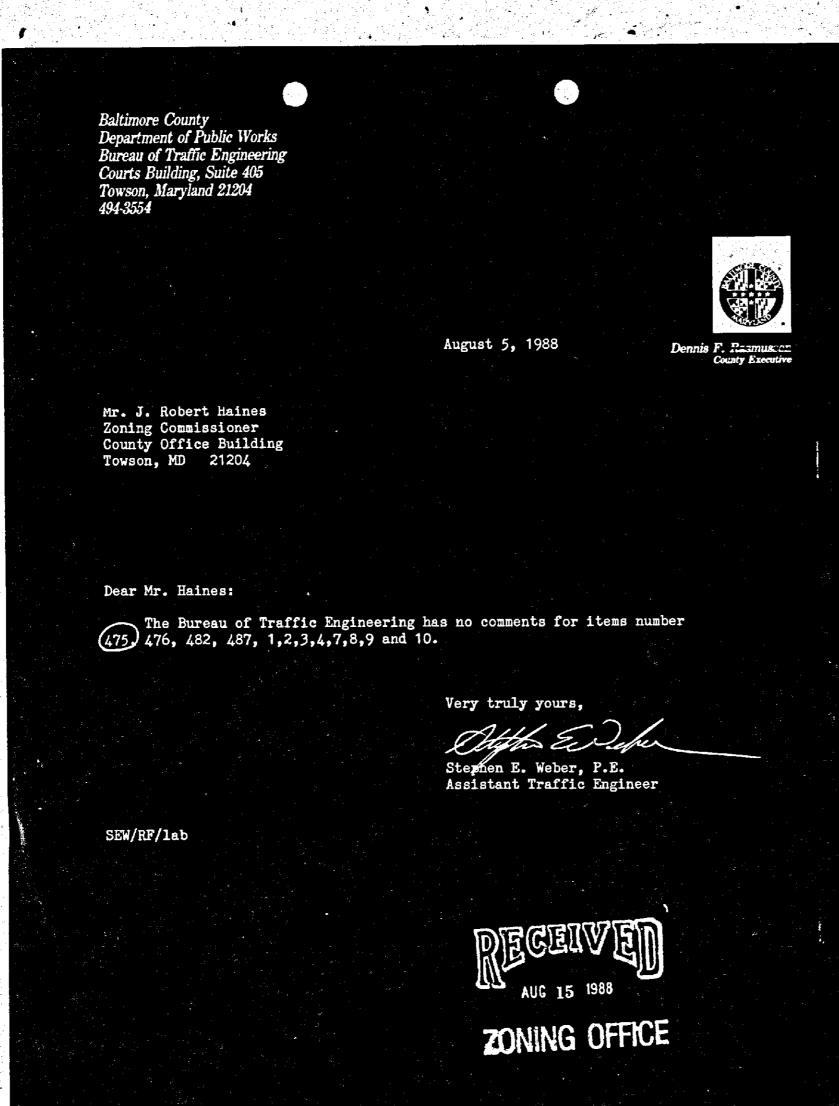
Variance to allow a side yard setback of 15 feet in lieu of the required 50 feet.

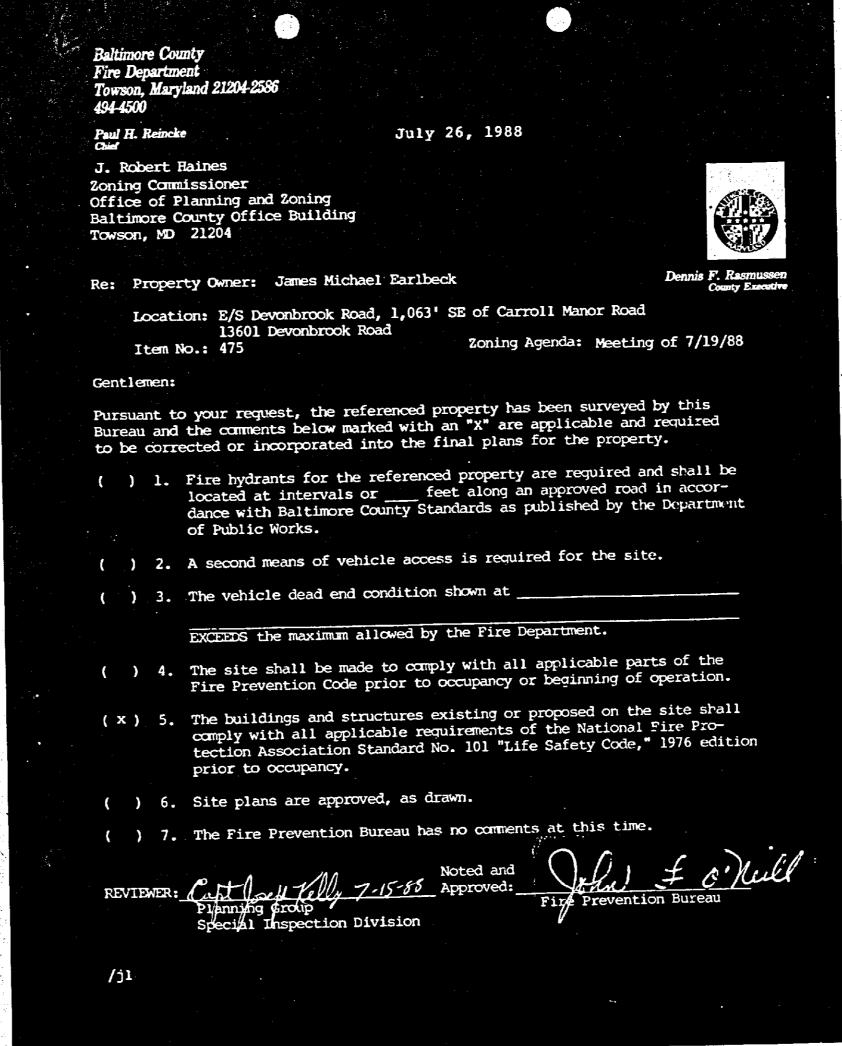
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

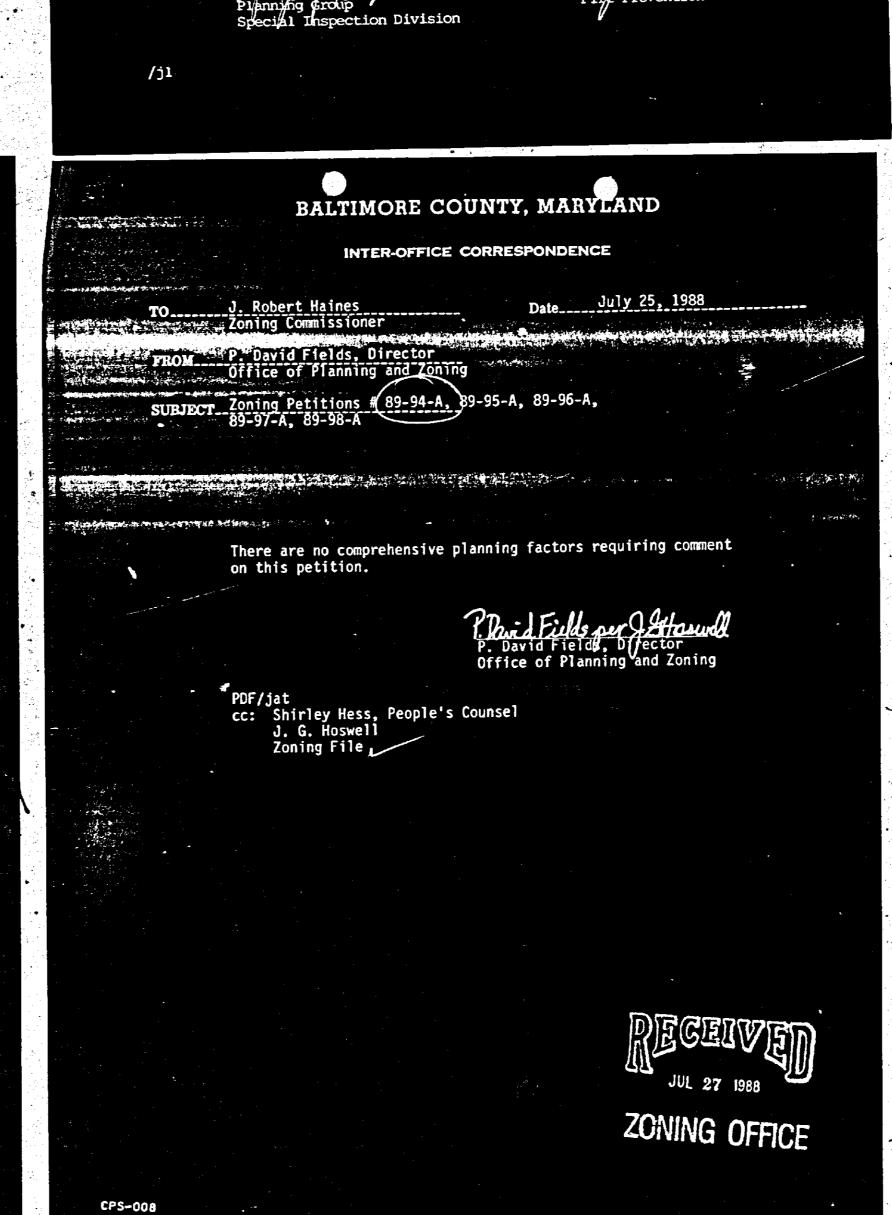
J. ROBERT HAINES Zoning Commissioner of Baltimore County James Michael Earlbeck













COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Industrial Development Mr. James M. Earlbeck 13601 Devonbrook Road Baldwin, Maryland 21030

RE: Item No. 475 - Case No. 89-94-A
Petitioner: James M. Earlbeck
Petition for Zoning Variance

Bureau of
Engineering

Department of
Traffic Engineering

Dear Mr. Earlbeck:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following submitted with the above referenced petition.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

James E. Dyer/dt

Chairman
Zoning Plans Advisory Committee

JED:dt